

ZB# 05-30

Jeffrey Bousche

25-3-10

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 7-11-05

ZBA #05-30 JEFFREY BOUSCHE (AREA)
64 HUDSON DR (25-3-10)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE ZONING BOARD OF APPEALS

November 29, 2005

Jeffrey Bousche'
64 Hudson Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-30

Dear Mr. Bousche':

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason
Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 25-3-10

In the Matter of the Application of

MR. & MRS. JEFFREY BOUSCHE

CASE #05-30

**MEMORANDUM OF
DECISION GRANTING**

AREA

WHEREAS, MRS. ESTELLE BOUSCHE, owner(s) of 64 HUDSON DRIVE, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 5 foot side yard setback for proposed 12 ft X 20 ft. side deck at 64 Hudson Drive in an R-4 Zone (25-3-10)

WHEREAS, a public hearing was held on JULY 11, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The applicant seeks to construct a deck measuring approximately 12 feet by 20 feet on the rear of her property.
 - (c) The deck will be immediately adjacent to the rear entranceway to the residence. Without a deck, a person exiting the premises through that doorway would be likely to sustain serious physical injury.

- (d) The deck, if permitted, would be substantially similar in size and appearance to other decks in the neighborhood.
- (e) The deck will not be constructed on top of nor will it interfere with any rights-of-way including, but not limited to, water, sewer or electrical easements.
- (f) In constructing the deck, the applicant will not remove any trees or substantial vegetation.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

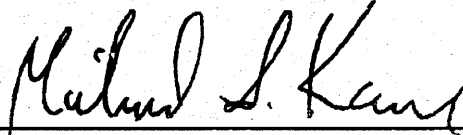
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for a 5 foot side yard setback for proposed 12 ft X 20 ft. side deck at 64 Hudson Drive in an R-4 Zone (25-3-10) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: July 11, 2005

A handwritten signature in cursive script, reading "Michael S. Kany", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: May 20, 2005

APPLICANT: Jeffrey Bousche
64 Hudson Drive
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: May 18, 2005

FOR : PROPOSED 12'X20' SIDE DECK

LOCATED AT: 64 Hudson Drive

ZONE: R-4 **Sec/Blk/ Lot:** 25-3-10

COPY

DESCRIPTION OF EXISTING SITE: ONE FAMILY HOUSE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed 12'X20' attached side deck will not meet minimum 20' side yard set-back


BUILDING INSPECTOR

PERMITTED

**PROPOSED OR
AVAILABLE:**

**VARIANCE
REQUEST:**

ZONE: R-4 USE:

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD: F-6 20' 15' 5'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

PARKING AREA:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAY 18 2005

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2005-393

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises JEFFREY Bousché

Address 64 Hudson DR. Phone # 562-6242

Mailing Address SAME Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the Hudson DR. side of _____
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 26 25 Block 3 Lot 14 P

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy Deck b. Intended use and occupancy Deck

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 20' Rear 20' Depth 12' Height _____ No. of stories 1

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 3,700.00 Fee \$ 50-

ZONING BOARD

OK PL
5-14-05

PAID

TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

APPLICATION FOR BUILDING PERMITS

date

5/16/05

5,16,05
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryehar
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Jeff Bork
(Signature of Applicant)

64 Hudson Dr.
(Address of Applicant)

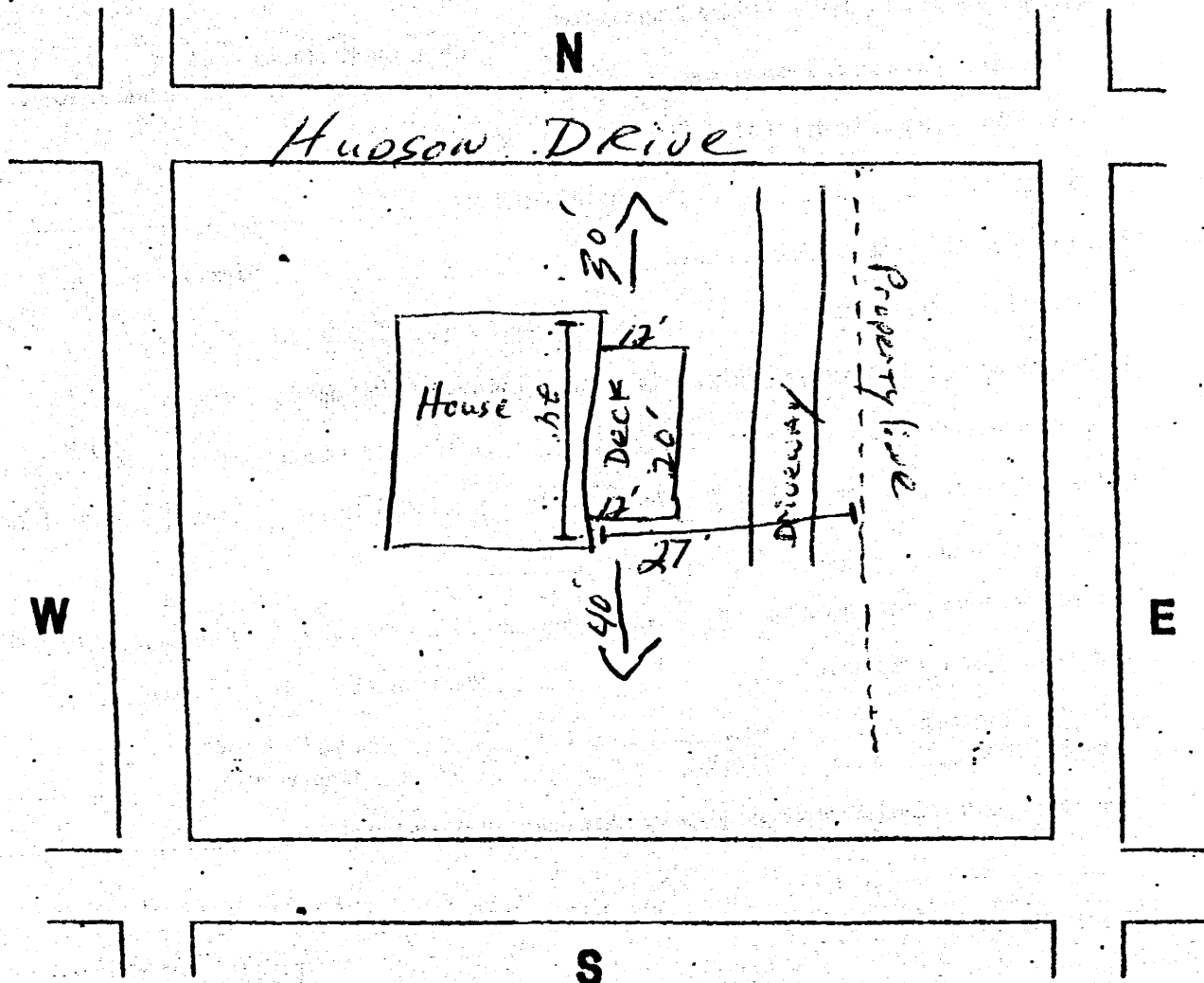
Jeff Bork
(Owner's Signature)

64 Hudson Dr.
(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION







**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: AUGUST 24, 2005
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 157.22 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-30

NAME & ADDRESS:

**Jeffrey Bousche'
64 Hudson Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R._____



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS



FILE #05-30 TYPE: AREA TELEPHONE: 562-6242

APPLICANT:

Jeffrey Bousche'
64 Hudson Drive
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK #2132
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #2133



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	<u> </u>	PAGES	\$ <u> </u>	\$ <u> </u>
PUBLIC HEARING:	<u>2</u>	PAGES	\$ <u>11.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u> </u>	PAGES	\$ <u> </u>	\$ <u> </u>

LEGAL AD: Publish Date: 06-22-05 \$ 45.28

TOTAL:	\$ <u>72.78</u>	\$ <u>70.00</u>
--------	-----------------	-----------------



ESCROW POSTED:	\$ 300.00
LESS: DISBURSEMENTS:	\$ <u>142.78</u>

AMOUNT DUE: \$

REFUND DUE: \$ 157.22

Cc:

L.R. 8-24-05

JEFFREY BOUSCHE' (05-30)

Mrs. Estelle Bousche' appeared before the board for this proposal.

MR. REIS: Request for 5 foot side yard setback for proposed 12 ft. x 20 ft. side deck at 64 Hudson Drive. Tell us what you want to accomplish. Your deck will come out that side door?

MRS. BOUSCHE': Yes.

MR. REIS: It's a matter of a hazardous situation you need some landing there?

MR. KRIEGER: Otherwise a person would fall and be likely to sustain serious physical injury?

MRS. BOUSCHE': Yes.

MR. REIS: All right, to not to have to go through this variance procedure would you consider making your deck any smaller?

MRS. BOUSCHE': No.

MR. REIS: Your deck wouldn't be any larger or much larger than your neighbors and the rest of the people in your community?

MRS. BOUSCHE': No.

MR. KRIEGER: In other words, it would be similar in size and appearance?

MRS. BOUSCHE': Oh, yeah.

MR. REIS: Not going to be going over any easements or right-of-ways?

MRS. BOUSCHE': No.

MR. REIS: Again, for the record, your photos show that but you're not going to be taking down any substantial vegetation?

MRS. BOUSCHE': There's nothing there.

MR. REIS: Thank you. Myra, how many letters went out?

MS. MASON: On June 27, I mailed out 53 envelopes and had no response.

MR. REIS: We'll open it up to the public, anybody here who'd like to speak on this? No one? We'll close the public hearing. Thank you very much. Folks, do you have any other questions? Accept a motion.

MS. LOCEY: I will offer a motion to grant the application of Jeffrey Bousche' for his request for a five foot side yard setback for a proposed 12 x 20 foot side deck at 64 Hudson Drive in an R-4 zone.

MS. GANN: I'll second the motion.

ROLL CALL

MR. BROWN	AYE
MS. GANN	AYE
MS. LOCEY	AYE
MR. REIS	AYE



July 11, 2005

P.B.#

PROXY

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

CARRIED: Y____N____

CARRIED: Y_____N_____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

MCDONALD _____ CARRIED: Y_____ N_____

SCHEDULE PUBLIC HEARING: M)___ S)___ VOTE: A___ N___

CARRIED: Y _____ N _____

VARIANCE APPROVED: M) L S) G VOTE: A 4 N 0

CARRIED: Y ☒ N ☐.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

JEFFREY BOUSCHE' (05-30)

Mr. Jeffrey Bousche' appeared before the board for this proposal.

MR. KANE: Request for 5 foot side yard setback for proposed 12 ft. x 20 ft. side deck at 64 Hudson Drive. How you doing, sir, tell us what you want to do.

MR. BOUSCHE': There's driveway on the side of the house, there's, I have a driveway going down and there's nothing on that side of the house so we just want to put a deck for entertaining.

MR. KANE: Deck itself is going to be similar in size to other decks in your neighborhood?

MR. BOUSCHE': Yes.

MR. KANE: Creating any water hazards or runoffs with the building of the deck?

MR. BOUSCHE': No.

MR. KANE: Cutting down any trees, substantial vegetation?

MR. BOUSCHE': No.

MR. KANE: If you walk out the side door and you drop 4 feet, do you consider that a safety hazard?

MR. BOUSCHE': I do.

MR. KANE: Is the house on Town sewer and water?

MR. BOUSCHE': Yes, there's a water easement under my driveway, there's a natural runoff.

MR. KANE: But the deck is not going to be anywhere

near that?

MR. BOUSCHE': No.

MS. LOCEY: Will that door that's on the side lead out to the deck?

MR. BOUSCHE': Yes.

MS. GANN: So it will be further up?

MR. BOUSCHE': Yes, maybe six inches.

MR. KANE: How long has the door been there?

MR. BOUSCHE': Thirteen, fourteen years.

MR. KANE: Was there another deck?

MR. BOUSCHE': No.

MR. KANE: Just a door to nowhere?

MR. BOUSCHE': Yes.

MR. KANE: I have no further questions.

MS. GANN: Nothing.

MR. KANE: Accept a motion.

MS. GANN: Make a motion that we set up Jeffrey Bousche' for a public hearing for his request for five foot side yard setback for proposed 12 foot by 20 foot side deck at 64 Hudson Drive in an R-4 zone.

MR. REIS: Second it.

ROLL CALL

June 13, 2005

8

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE

MR. KANE: Just follow the directions.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-03-2005

FOR: ESCROW 05-30

FROM:

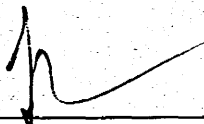
Jeffrey Bousche'
64 Hudson Drive
New Windsor, NY 12553

CHECK NUMBER: 2133

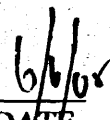
TELEPHONE: 562-6242

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

26A-05-30

application fee

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#498-2005

06/06/2005

Bousche, Jeffrey
64 Hudson Dr.
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 06/06/2005. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

JEFFREY BOUSCHE'

**AFFIDAVIT OF
SERVICE
BY MAIL**

#05-30

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 27TH day of JUNE, 2005, I compared the 53 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

27th day of June, 2005

J. P. Mead
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

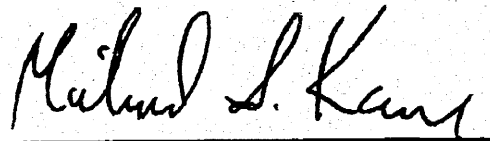
Appeal No. 05-30

Request of JEFFREY BOUSCHE'

for a VARIANCE of the Zoning Local Law to Permit:

Request for 5 foot side yard setback for proposed 12 ft X 20 ft. side deck at 64 Hudson Drive in an R-4 Zone (25-3-10)

PUBLIC HEARING will take place on JULY 11TH, 2005
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.

A handwritten signature in cursive script, reading "Michael S. Kane", written in dark ink. The signature is fluid and stylized, with the first letters of the first and last names being capitalized and prominent.

Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessor's Office

June 20, 2005

Jeffrey Bousche
64 Hudson Drive
New Windsor, NY 12553

Re: 25-3-10 ZBA#: 05-30 (53)

Dear Mr. Bousche:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

25-1-6
Wilberto & Melba Boneet
64 Birchwood Drive
New Windsor, NY 12553

25-1-9
Barbara Grammer Booth
58 Birchwood Drive
New Windsor, NY 12553

25-1-13
Vito & Mary Speranza
52 Birchwood Drive
New Windsor, NY 12553

25-1-16
John Beltempo
Roxanne Lopez
46 Birchwood Drive
New Windsor, NY 12553

25-2-7
George Courtney
71 Hudson Drive
New Windsor, NY 12553

25-2-10
Catherine & Joseph Hughes, Jr.
65 Hudson Drive
New Windsor, NY 12553

25-2-13
Thomasina Blair
59 Hudson Drive
New Windsor, NY 12553

25-2-16
Robert Hurley
57 Birchwood Drive
New Windsor, NY 12553

25-2-19
Wayne & Joan Smith
63 Birchwood Drive
New Windsor, NY 12553

25-2-22
Mary Michetti
69 Birchwood Drive
New Windsor, NY 12553

25-1-7
Jose & Maritza Rodriguez
62 Birchwood Drive
New Windsor, NY 12553

25-1-10
Dulce & Dennis Kelly
56 Birchwood Drive
New Windsor, NY 12553

25-1-14
Edward & Patricia Callahan
50 Birchwood Drive
New Windsor, NY 12553

25-2-5
Anthony & Kathryn Dario
75 Hudson Drive
New Windsor, NY 12553

25-2-8
John & Marjorie Panzetta
69 Hudson Drive
New Windsor, NY 12553

25-2-11
Theodore & Kathryn Annan
63 Hudson Drive
New Windsor, NY 12553

25-2-14
Peter & Adriana Rappa
53 Birchwood Drive
New Windsor, NY 12553

25-2-17
Melvin & Rose Marie Hedlund
59 Birchwood Drive
New Windsor, NY 12553

25-2-20
Christine Schoonmaker
65 Birchwood Drive
New Windsor, NY 12553

25-3-4
Thomas & Regina DiGiovanni
76 Hudson Drive
New Windsor, NY 12553

25-1-8
Robert VanVoorhis
60 Birchwood Drive
New Windsor, NY 12553

25-1-12
Robert & Eleanor Spreer
54 Birchwood Drive
New Windsor, NY 12553

25-1-15
Frank & Ruth Iessi
48 Birchwood Drive
New Windsor, NY 12553

25-2-6
John & Linda Baiamonte
73 Hudson Drive
New Windsor, NY 12553

25-2-9
Marie & Bruce Nott, Sr.
67 Hudson Drive
New Windsor, NY 12553

25-2-12
Robert & Carol Griffin
61 Hudson Drive
New Windsor, NY 12553

25-2-15
Robert, Virginia & Helen Basile
55 Birchwood Drive
New Windsor, NY 12553

25-2-18
John & Kathleen Workman
61 Birchwood Drive
New Windsor, NY 12553

25-2-21
Mary Kostenblatt
67 Birchwood Drive
New Windsor, NY 12553

25-3-5
Jerry & Joan Jacobs
74 Hudson Drive
New Windsor, NY 12553

25-3-6
Suzanne Sweeney
72 Hudson Drive
New Windsor, NY 12553

25-3-9
James Smith
Mary Wilcox
66 Hudson Drive
New Windsor, NY 12553

25-4-8
David & Phyllis Chapman
114 Glendale Drive
New Windsor, NY 12553

26-1-1.1 & 1.2
Upstate Properties USA, LLC
199 Lee Avenue – Suite 277
Brooklyn, NY 11211

40-1-3
Clarence & Ruth Starsiak
55 Hudson Drive
New Windsor, NY 12553

40-1-6
Sally Scheiner
9130 Taverna Way
Boyton Beach, FL 33437

40-1-23
John & Kathleen McParland
49 Birchwood Drive
New Windsor, NY 12553

40-2-3
Michael & Linda Robinson
56 Hudson Drive
New Windsor, NY 12553

25-3-7
Fernando & Maria Ferreira
70 Hudson Drive
New Windsor, NY 12553

25-3-11
James & Nadine Collins
62 Hudson Drive
New Windsor, NY 12553

25-4-10
Levio & Rose Young
116 Glendale Drive
New Windsor, NY 12553

40-1-1
Robert McKnight, Jr.
51 Birchwood Drive
New Windsor, NY 12553

40-1-4
John & Alberta Ponessa
53 Hudson Drive
New Windsor, NY 12553

40-1-21
William & Kelly Thompson
174 Wilbur Boulevard
Poughkeepsie, NY 12603

40-2-1
Lawrence & Mary McGrath
60 Hudson Drive
New Windsor, NY 12553

40-2-4
Denise Colurciello
Francis Coyle
54 Hudson Drive
New Windsor, NY 12553

25-3-8
Muriel Gaetano
68 Hudson Drive
New Windsor, NY 12553

25-4-7
Michael Murphy
112 Glendale Drive
New Windsor, NY 12553

25-4-11
Frank & Diana Puccio
118 Glendale Drive
New Windsor, NY 12553

40-1-2
Eric & Trina Miller
57 Hudson Drive
New Windsor, NY 12553

40-1-5
Joanne & Wilson Smith, Jr.
51 Hudson Drive
New Windsor, NY 12553

40-1-22
Sharon & Gus Palentino
47 Birchwood Drive
New Windsor, NY 12553

40-2-2
Richard Julian
58 Hudson Drive
New Windsor, NY 12553

Town of New Windsor
Zoning Board of Appeals

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-30
Request of JEFFREY BOUSCHE
for a VARIANCE of the Zoning Local Law to Permit
Request for 5 foot side yard setback for proposed 12 ft x 20
ft. side deck at 64 Elmwood Drive in an R-4 Zone (ZS-3-10)

PUBLIC HEARING will take place on July 11th,
2005 at the New Windsor Town Hall, 555 Union Avenue,
New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE
CHAIRMAN

Ad Number: 1771424 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

INVOICING CUSTOMER:

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRGALENSK Date: 06/22/2005 Assigned Sales: TownofNewWindsor ZoningBoardofAppeals AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: TH Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 06/28/2005 End Date - 06/28/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

PRODUCTION:

Text Size: 2 x 24.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Turnsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 45.28 Payment Method: B1 Amount Paid: 0 Amount Owed: 45.28

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: 1E1

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the
ORANGE COUNTY PUBLICATIONS Division
of Ottaway Newspapers-Radio, Inc. is a corporation
organized under the laws of the State of New York
and is, at all the times hereinafter mentioned,
was the printer and publisher of The Times Herald-Record,
a daily newspaper distributed in the
Orange, Ulster, Rockland, Dutchess, Pike, PA,
Delaware and Sullivan Counties, published in
the English language in the City of Middletown,
County of Orange, State of New York, that deponent
is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with
the facts hereinafter stated, and duly authorized by
said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is hereunto annexed,
has been duly and regularly published in the manner
required by law in said The Times Herald-Record in
each of its issues published upon each of the
following dates, to wit: In its issues of

4/28/05

Signature of Representative:

Sworn in before me this 1

Day of July

2005

Gretchen Pina Breedy
Notary Public, Orange County

GRETCHEN PINA BREEDY
NOTARY PUBLIC FOR THE STATE
OF NEW YORK, ORANGE COUNTY
OATH / SIGNATURE IS ON FILE
COMMISSION EXPIRES 11/22/05



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

June 27, 2005

Jeffrey Bousche'
64 Hudson Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-30

Dear Mr. Bousche':

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

64 Hudson Drive
New Windsor, NY

is scheduled for the July 11, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



RESULTS OF Z.B.A. MEETING OF: June 18 2005

PROJECT: Jeffrey Bousche

ZBA # 05-30
P.B.# _____

USE VARIANCE: _____

NEED: EAF _____

PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____
CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____
CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____
CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____
CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) 6 S) Rs VOTE: A 5 N 0

GANN A
LOCEY A
BROWN A
~~MCDONALD~~
REIS A
KANE A

CARRIED: Y ✓ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____
VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MC DONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

Town sewer & water



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

ZONING BOARD OF APPEALS

June 3, 2005

**Jeffrey Bousche'
64 Hudson Drive
New Windsor, NY 12553**

SUBJECT: REQUEST FOR VARIANCE #05-30

Dear Mr. Bousche':

This letter is to inform you that you have been placed on the June 13, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

**64 Hudson Drive
New Windsor, NY**

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

**Myra Mason, Secretary
Zoning Board of Appeals**

MLM:mlm



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

5-24-05

Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** JEFFREY Bousché Phone Number: (845) 562-6242
(Name) Fax Number: ()
64 Hudson Drive
(Address)

II. **Applicant:** JEFFREY Bousché Phone Number: (845) 562-6242
(Name) Fax Number: ()
64 Hudson Drive
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
Fax Number: ()
(Name)
Same
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
Fax Number: ()
Same
(Name)
(Address)

V. **Property Information:**

Zone: R-4 Property Address in Question: 64 Hudson Dr.
Lot Size: _____ Tax Map Number: Section 25 Block 3 Lot 10
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? Dec, 1991
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

COMPLETE THIS PAGE ☒

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	20' 20'	15' 15'	5'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE 

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The 12x20 Side deck will
enhance our home. The deck will no effect on our
neighbors.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or **survey (if available)** showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☒ One in the amount of \$ ~~300.00~~ **or 500.00** (escrow)
- ☒ One in the amount of \$ ~~50.00~~ **or 150.00** (application fee)
- ☒ One in the amount of \$ ~~25.00~~ **25.00** (Public Hearing List Deposit)
- ☒ **Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

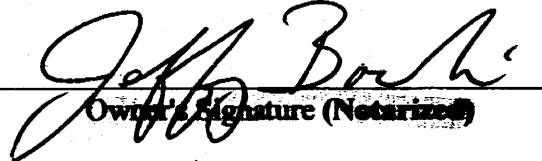
) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

27th day of May 2005


Owner's Signature (Notarized)

Owner's Name (Please Print)

ANGELA A. GORDON

Notary Public, State of New York

No. 0001205

Qualified in Westchester County

Commission Expires 1/3/07


Signature and Stamp of Notary

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION **(LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE)** AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE: \$ 50.00
*ESCROW: \$300.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.